

THE EFFECTIVE DATE OF THIS ORDINANCE IS JUNE 17, 2003

ORDINANCE NO. 03-10-333

RE: PROPERTY TAX CREDIT FOR
REHABILITATED PROPERTY

State law authorizes the Board of County Commissioners ("Board") to grant a property tax credit to real property rehabilitated under regulations adopted by the Board. Annotated Code of Maryland, Tax Property Article § 9-236.

The Board of County Commissioners desires to enact such legislation, authorize the grant of a property tax credit to property located within a designated revitalization area, and to designate a specific revitalization area, to be known as the Golden Mile Tax Credit District.

A duly advertised public hearing on this proposed Ordinance was held on June 17, 2003. The public had an opportunity to comment on the proposed Ordinance.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, that new Sections 1-8-301 and 1-8-302 are hereby added to the Frederick County Code (1979) to read as follows:

ARTICLE VII. REHABILITATED PROPERTY TAX CREDIT

SECTION 1-8-301.

(A) THE BOARD OF COUNTY COMMISSIONERS WILL PROVIDE PROPERTY TAX CREDIT, FOR NOT MORE THAN TEN YEARS AFTER REHABILITATION, FOR PROPERTIES LOCATED IN DESIGNATED AREAS, UNDER SUCH TERMS AS SPECIFIED DURING THE CREATION OF THE DESIGNATED DISTRICT.

(B) THE TAX CREDIT IS SUBJECT TO THE PROVISIONS SET FORTH IN THE ANNOTATED CODE OF MARYLAND, TAX PROPERTY ARTICLE § 9-236.

CAPITALS AND/OR UNDERLINING INDICATE ENTIRELY NEW MATTER ADDED TO EXISTING ORDINANCE.

[Brackets] indicate matter deleted from existing Ordinance.

PC: CAO, WRIGHT, TREASURER, OGD, PLANNING, GROSSKOPF, FILE

SECTION 1-8-302. GOLDEN MILE TAX CREDIT DISTRICT.

(A) PROPERTIES WITHIN FREDERICK CITY AND (1) LOCATED ALONG WEST PATRICK STREET (ROUTE 40) BETWEEN ROUTE 15 AND BOWERS ROAD, BAUGHMANS LANE, AND HILLCREST DRIVE; AND (2) ZONED B-3, B-1, AND B-0 AS OF JUNE 17, 2003 SHALL CONSTITUTE THE GOLDEN MILE TAX CREDIT DISTRICT; AND THE BOUNDARIES OF THE GOLDEN MILE TAX CREDIT DISTRICT ARE ESTABLISHED AND SHOWN IN YELLOW ON THE MAP ON FILE IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS AND ATTACHED TO THIS ORDINANCE AS EXHIBIT A.

(B) PROPERTIES WITHIN THE GOLDEN MILE TAX CREDIT DISTRICT WHICH ARE REHABILITATED SHALL BE ELIGIBLE FOR PROPERTY TAX CREDIT AGAINST THE COUNTY PROPERTY TAXES IMPOSED, UNDER THE FOLLOWING CONDITIONS:

- (1) EXISTING NON-RESIDENTIAL STRUCTURES ARE REPAIRED OR ALTERED TO INCREASE THE USEFULLNESS AND CONDITION OF THE PROPERTY; AND
- (2) REHABILITATION PROJECTS MUST HAVE OR PROVIDE PEDESTRIAN AND VEHICULAR CONNECTIONS TO ADJACENT COMMERCIAL PROPERTIES APPROVED BY THE CITY OF FREDERICK PLANNING DEPARTMENT DIRECTOR.

(C) THE PROPERTY TAX CREDIT WILL BE DETERMINED BASED UPON THE LESSER OF:

(1) THE INCREASE IN THE ASSESSED VALUATION OF THE PROPERTY ATTRIBUTABLE TO THE REHABILITATION PROJECT, OVER THE ASSESSED VALUE BEFORE THE PROPERTY WAS REHABILITATED; OR

(2) THE COST EXPENDED FOR THE REHABILITATION PROJECT.

(D) THE PROPERTY SHALL BE ELIGIBLE FOR TAX CREDIT FOR NO LONGER THAN SEVEN (7) YEARS AFTER THE COMPLETION OF THE REHABILITATION PROJECT.

(E) THE AMOUNTS OF THE TAX CREDIT WILL BE CALCULATED BASED UPON THE SCHEDULES SET FORTH BELOW UPON COMPLETION OF THE CONSTRUCTION OF THE REHABILITATION PROJECT:

(1) PROJECTS THAT BEGIN REHABILITATION CONSTRUCTION IN CALENDAR YEAR 2003:

2003 TAX CREDIT SCHEDULE			
Years	Based on cost of Rehabilitation Project/Change in Assessed Value		
	< \$1.0 million	\$1.0 to \$4.0 million	> \$4.0 million
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	100%	100%	100%
5	75%	100%	100%
6	50%	66%	100%
7	25%	33%	50%
8	0%	0%	0%

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- (2) PROJECTS THAT BEGIN REHABILITATION CONSTRUCTION IN CALENDAR YEAR 2004 THROUGH DECEMBER 31, 2010:

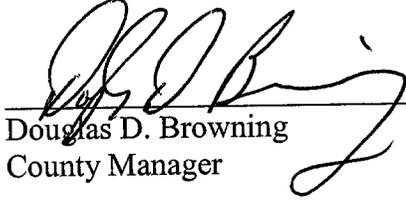
2004+ TAX CREDIT SCHEDULE			
Years	Based on cost of Rehabilitation Project/Change in Assessed Value		
	< \$1.0 million	\$1.0 to \$4.0 million	> \$4.0 million
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%
5	60%	75%	100%
6	40%	50%	66%
7	20%	25%	33%
8	0%	0%	0%

- (3) PROJECTS THAT BEGIN REHABILITATION CONSTRUCTION AFTER DECEMBER 31, 2010 SHALL NOT BE ELIGIBLE FOR TAX CREDITS UNDER THIS PROGRAM,

(F) THE PROPERTY OWNER SHALL FILE EACH YEAR AN APPLICATION FOR THE TAX CREDIT ALLOWED UNDER THIS SECTION.

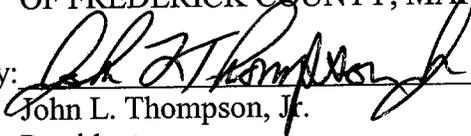
The undersigned hereby certifies that this Ordinance was approved and adopted by the Board of County Commissioners on the 17th day of June, 2003.

ATTEST:


 Douglas D. Browning
 County Manager

WK 6/17/03

BOARD OF COUNTY COMMISSIONERS
 OF FREDERICK COUNTY, MARYLAND

By: 
 John L. Thompson, Jr.
 President

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